

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JUSTIN MICHAEL FISHBEIN,	:	Civil No. 1:17-cv-0845
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
PENNSYLVANIA TURNPIKE	:	
COMMISSION, et al.,	:	
	:	
Defendants.	:	Judge Sylvia H. Rambo

**ORDER**

Before the court is a report and recommendation of the magistrate judge in which he recommends that the complaint be dismissed pursuant to Plaintiff's notice of voluntary dismissal. Upon review of the report and recommendation and the applicable Federal Rules of Civil Procedure, **IT IS HEREBY ORDERED** as follows:

- 1) The report and recommendation (Doc. 23) is **ADOPTED**.
- 2) Pursuant to Plaintiff's notice of his intent to abandon this litigation, Plaintiff's complaint is **DISMISSED** without prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii).
- 3) The motion to dismiss (Doc. 13) filed by Defendants Jack Rowe and Teamsters Local 77 is **DISMISSED** as moot.
- 4) The motion to dismiss (Doc. 17) filed by Defendants Mark Compton, Sherri Norris, and Pennsylvania Turnpike Commission is **DISMISSED** as moot.

s/Sylvia H. Rambo

SYLVIA H. RAMBO

United States District Judge

Dated: March 14, 2018